

From the Washington Union.

The Freedom of the Press against the Country.

The National Intelligencer comments upon a single point in the President's Message, as follows:

"One passage, however, defaces its very outset, which merits, for its extraordinary character, no delay of reprehension."

We give the passage in the Message which is here referred to:

"I deem it my duty to present to you, on the present occasion, a condensed review of the injuries we had sustained, of the causes which led to the war, and of the progress since its commencement. This is rendered the more necessary because of the misapprehensions which have to some extent prevailed as to its origin and true character. The war has been represented as unjust and unnecessary, and as one of aggression on our part upon a weak injured enemy. Such erroneous views, though entertained by but few, have been widely and extensively circulated not only at home, but have been spread throughout Mexico and the whole world. A more effectual means could not have been devised to encourage the enemy and protract the war than to advocate and adhere to their cause, and thus give them aid and comfort."

Upon this the Intelligencer remarks:

"The public cannot have forgotten how constantly, since we were plunged in the existing needless and unhappy war with Mexico, the administration's immediate organ here, the Union, has striven to trifle all inquiry into the justifying causes, to hector the press into silence, and to awe the representatives of the people into approbation, by denouncing as no better than 'moral treason' all examination into the conduct of the Executive, and by stigmatizing all questions about the inception of the war without consulting Congress, or the prudence of its management, or the legality of many high-handed acts under it, as amounting to nothing less than giving aid and comfort to the enemy."

"In spite of the persistence and arrogance with which this claim to public silence was urged by the Union, and though the failure to rebuke such doctrines strongly implied their official sanction, neither the public, nor Congress, nor we ourselves, who have enjoyed the honor of being a very special mark of these denunciations, could hitherto believe such doctrines anything but the mere offspring of a blind devotion to power. It seems, however, that we were all over-indulgent; that the Executive has, in this message, set his own royal stamp on these claims of non-inquiry. 'Nay, he is entering upon his exposition of his conduct, and of the causes of the war, he takes care to lay down the very principles insisted on by the Union. It was, possibly, deemed a necessary precaution thus to inform the country in advance, lest his reasons should fail to convince it, that to doubt them was not permitted, and that to question them would be held siding with Mexico and giving her aid and comfort.'"

Now, in so far as these comments touch the passage in the President's Message referred to, it is enough to say once for all, in reply, that the passage states a plain proposition, the exact truth of which cannot be disputed, and which, in its most severe and searching point, is expressed in words cited from the Constitution itself. Reduced to a single sentence, the President's proposition is precisely this: To circulate widely and extensively, not only at home, but through Mexico and the whole world, as has been done, the erroneous views, entertained by but few, that our war is unjust and unnecessary, and an act of aggression on our part upon a weak and injured enemy, is to adopt a most effectual means of encouraging the enemy and protracting the war, by advocating and adhering to their cause, and thus giving them "aid and comfort."

Now, whosoever this proposition may reach, and whosoever or however deeply it may wound, we defy the Intelligencer to deny or gainsay one single word of it. It is wholly and severally true, just as it stands. The censure which it implies, being expressed in the very words of the Constitution, attaches to those, and to those alone, whose conduct has violated the moral obligations of that sacred instrument, and thus made them amenable to its moral penalties. It is not to be wondered at, that the Intelligencer "winces;" but it so winces because it stands in the predicament of the "galled jade;" else, its "withers" had been "unwringing." That journal, and those who in this matter have acted with it, have constantly represented, both at home and abroad, our war as unjust and unnecessary, and as an act of aggression on our part

DEMOCRATIC BANNER.

"UNITED WE STAND—DIVIDED WE FALL."

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upon a weak and injured enemy; thus advocating and adhering to the enemy's cause, and giving him "aid and comfort." Nay, more; the offence is repeated by the Intelligencer in this very article upon which we comment. That journal is thus caught by the constitution as cited by the President in that very "fugate de facto" which it is the province of the law summarily to condemn. Doubtless this is a very serious and sad matter for the Intelligencer, and for those, be they who they may, who have acted a similar part. But it cannot be helped. The censure is the solemn censure of the constitution. The moral crime is a crime designated and defined by the constitution. When it hardens into an overt act, it is punished by the law in pursuance of the constitution. While it exists only in the embryo of an intent substantially treasonable, it is punished, not by the law's avenging power, but by the open and burning shame of "MORAL TREASON!"

So much in reply to the "Intelligencer's" comments upon the Message. But in bar of this crushing judgment, the "Intelligencer," utterly unable to deny the fact as charged, pleads the "Freedom of the Press." To the sufficiency of this plea in the case we demand. We yield to no man in our reverence for the freedom of the press. As the sacred palladium of our liberties, it should always be maintained; and we, at least, will always maintain it. In the judgment of the "Intelligencer," the press is free to denounce the war which our country now wages against a foreign foe. Much more, then, in our judgment, is the press free to denounce the "Intelligencer" for such a course. In the judgment of the Intelligencer, as shown by its own systematic action, the press is free to throw discredit and odium upon our cause, and to advocate the enemy's cause, thus giving him aid and comfort. Much more, then, in our judgment, is it free to uphold its own government, and to reprove the world as an unjust and blood-stained aggressor upon a weak and injured foe; and then shall not we be free to charge home upon the Intelligencer, and upon those whom it represents, the whole tremendous responsibility of such a course? Shall the press be open-mouthed to assail the country, and tongue-tied in its defence? A few days since the Intelligencer found itself free to declare, and did declare, in terms, that no just cause had been stated, either officially or unofficially, why this war with Mexico should have been engaged in. Shall we, then, be denied the right to denounce such a statement as the doctrine of *null and non-alibi*, and its advocates as the advocates of NATIONAL DISHONOR? The freedom of the press has its responsibilities. When the press, in a time of war, assails its own government, and thus abets the public enemy, those responsibilities become fearful to be met, and hard to be borne. The Intelligencer, now finds them so and shrinks from them, behind that very freedom in which they are involved!

But if this plea of the Freedom of the Press were of itself good and sufficient in the case, it lies not in the mouth of the Intelligencer, of all other journals, to plead it. That journal we say—adopting the form of direct action—without intending any breach of editorial decorum—turn back to your own files of 1813 and 1814, and you will find that your own acts have barred you from any such line of defence. During our last war with Great Britain, many persons were found who, disregarding the allegiance which they owed to their own country, and their obligations as good citizens to maintain the national honor and defend our just rights, pursued precisely the course you are now pursuing. They denounced the war as unjust and unnecessary—as a partisan war—as a war of invasion—as a presidential war, prosecuted by Executive acts done in violation of the constitution. They made themselves heard from the pulpit, through the press, and in

the halls of legislation. These men have long since met the public reprobation due to their unpatriotic, if not treasonable efforts. The patriotism of the country stamped the mark of its wrath upon their foreheads, and even yet they wear the brand! But in their day they invoked in their defence, just as you now invoke, "the freedom of speech" and "the freedom of the press." And how, then, did you—the National Intelligencer—you, the then official organ of Mr. Madison's administration—how did you then treat them with their plea? You overwhelmed them with denunciations. Without weariness and without pity you beat them down with the triple made of reasoning, invective, and ridicule. You bade them "Silence!" in the name of all the sacred obligations of patriotic duty! And concentrating into one fierce phrase all the fiercest elements of a patriot's righteous indignation, you stigmatized the men as "TRAITORS in thought and purpose," and you branded their guilt as "MORAL TREASON." Side by side with you in this work, good though stern, stood then, among other fellow-laborers on the same great republican platform, the Aurora at Philadelphia and the Enquirer at Richmond. Since that day more than thirty years have passed. The pen of the elder Duane, which then breathed its patriotic fire into the columns of the Aurora, has been lost to the country. But the cause yet remains. It is the cause of the country against the foreign foe! And the "Union" yet stands up—even as the Enquirer, even as we all stood up of yore—to denounce the traitorous spirit of those who would lay down that cause of their country in her hour of trial and of war! The spirit of the Intelligencer alone has waxed feeble with years, or faint or false of heart! And now, like those upon whom you were then the foremost to heap a crushing weight of obloquy, you shrink for shelter behind what you call the "Freedom of the Press." It is the Freedom of the Country's Press, against the country!

What then, in 1814, to your adversaries availed their plea, now becomes your plea of such "Freedom of the Press?" At the parish of Ryegate, in Massachusetts, a minister of the gospel stood up in his pulpit to denounce the war with England, as you now denounce the war with Mexico. And you set the man's sermon and his name in your columns, as upon a pillory, to be a mock, and a butt, and a by-word of reproach to the whole nation! No calling, no function, however high and however sacred, could then be a shield from your denunciations. And do you now turn round, and demand exemption for yourself, and for your friends, from that measure of justice which you then meted out to others? Such a demand cannot avail. Such a demand you have no right to make. Out of your own mouth, and according to your own acts you are judged. And it lies not with you to deny that the judgment is righteous!

Something very odd.—A strange occurrence took place in one of the French provinces a short time since. A Frenchman, who in 1812 had gone with Napoleon to Russia, and was long since believed dead, suddenly returned. His wife had meantime been married to three other husbands, and had just buried the last of them, when her first returned from Russia, and she began married life once more anew, and under happy auspices.

It is in Maine, offers an enterprising upholsterer in Maine, offers a pound for gentlemen's whiskers and goatees, to be used in making mattresses. Here's a chance for some of our nice young men to make a raise.

There is a volume contained in a few words of Shakespeare, when he says, "Drunkenness is an egg from which all vice may be hatched."

ADIEU.—There is something beautifully pious and tender in that word of sad import, "Adieu!" It means—May God guard you—To God I commit you.

The Decision of an African Judge.

Alexander of Macedon, once went to a remote province of Africa; abounding in gold. The inhabitants met him, bearing dishes filled with apples and fruits of gold. "Do you eat such fruit among you?" said Alexander. "I have not come to see your riches, but to learn your customs."

Then they led him to the market place, where the king was sitting in judgement. A citizen just then appeared before him, and said: "I bought of this man, O king, a sack full of chaff, and found a large amount of treasure in it. The chaff is mine, but not the gold; and this man will not take it back again. Decide accordingly, O king, for it is his."

And his opponent, also a citizen of the place, replied: "Do you fear to keep what is not your own, and I should not fear the like? I sold you the sack, and all that was in it; keep what's your own. Decide for him O king."

The king asked the first whether he had a son? He answered, Yes. He asked the second whether he had a daughter? and received "Yes," for an answer. "Well," said the king, "you are both upright; unite your children in marriage, and give them the treasure for a marriage gift. This is my decision."

Alexander was astonished, when he heard this judgment.

"Have I decided unjustly," inquired the king of the distant countryman, "that you are so astonished?"

"By no means," replied Alexander; "but in my country the judgement would have been different."

"And how?" asked the African king.

"Both disputants," said Alexander, would lose their heads, and the treasure would fall to the king."

Then the king, striking his hands together, asked: "And does the sun shine upon you! and does the heavens send its rain upon you?"

"Yes," replied Alexander.

"Then it must be," continued the African king, "for the sake of the innocent beasts in your country, for, on such men, the sun should neither shine nor the heavens send down its rain."

A Lawyer's Report of a Battle.—A dinner given on New-Year's Eve by the citizens of Cincinnati, to Col. Mitchell and Adjutant Armstrong, of the Ohio volunteers, on their return home, from the army at Monterey, where both were severely wounded. Among the other good things said and sung on the occasion, was the following, drawn up by Benj. B. Fessenden, Esquire:

United States' Regulars and Volunteers versus City of Monterey.—This was an action on the case, to recover damages for breach of treaty contract. Declaration, 1st count, special, reciting contract, breach, &c.; to which were added the "money" counts. Defendant pleads in law "Mexican batteries and fortresses." Plaintiffs reply Anglo-Saxon pluck and resolution; upon this issue taken, and cause submitted.

Generals Taylor and Worth, for plaintiffs. For defendant, Mr. Ampudia.

The case was argued on both sides with great force and considerable feeling, but the arguments of plaintiff's counsel, derived from and based upon maxims and principles of the canon law, which were made to bear upon the case were peculiarly convincing.

Court find for plaintiffs on the issue made, "That Mexican batteries are no bar to Anglo-Saxon pluck and resolution. Judgement for plaintiffs. By consent of parties, stay of execution for eight weeks.

LOVE.—The following exquisite passage we find in Tupper's *Crock of Gold*:

"Love is the weapon which Omnipotence had failed. Reason he parries; fear he answers blow to blow; future interest he meets with pleasure; but love, that sun against whose melting beams winter cannot stand, that soft subduing slumber which wrestles down the giant, there is not one human creature in a million, not a thousand men in all earth's large quintillion, whose clay heart is hardened against love."

The temperance cause is flourishing in Charleston, S. C., and some praiseworthy efforts in progress to have a meeting at Camp Butler among the volunteers. Charleston now boasts four thousand teetotalers.

TERMS OF THE BANNER.

\$2 in advance; \$2 50 at the end of the volume. No man's paper will be discontinued unless the same be paid for up to the time of its discontinuance.

ADVERTISING done very low. All letters on business must be post paid.

SOLILOQUY.—Can't get along so, and yet doing as much business as I did twenty years ago! Then I saved money—now I'm spending it—absolutely going behind every season! What's the difficulty! Profits are reduced, whilst rents and taxes, and expenses are increased! What shall I do? It's plain! I must do more business—multiply my profits by increasing the number of my customers. How shall I get more customers? By giving information to a greater number of people and inviting their custom. How? As other people do—through the newspapers, cards, handbills, &c. &c. In short, I must advertise or quit business.—As there is no remedy I will make a virtue of necessity. I'll advertise!—I will!

"A FIX."—While passing through Wilson Lane, a few days since, says the Albany Knickerbocker, we saw a large black turtle "dragging his slow length along" on the sidewalk, and quite a crowd had gathered to look at the "creature." Soon a dumpy little negro man, who had just come along with a very small dog, looked at the turtle with apparent astonishment for a moment and asked—

"Wha what you call dat ar' feller?" "That's a turtle," answered a bystander. "Gor-ry!—what dey do wid 'um?" "Make soup of him."

"Soup!—yah! yah!—what a lookin' feller dat is to make soup ob!—heah, Caesar, bite 'im!" said the negro to his dog, as he "stirred up" the turtle with his cane.

The dog, seeming to know a little more about "the natur' of the baste" than did his master, hung back a little, but finally he crawled up to get a smell of the strange customer, when the turtle made a dive at his foot, and, seizing it in his mouth, squeezed it so unmercifully that the puppy got up some of the tallest kind of yelling, and the negro made no less noise than the dog.

"Ki, hi—ow-ow," yelled the dog, while his master puffed like a locomotive, exclaiming—

"Gorry mighty!—you brack toad—why you not let go dat ar' dog foot!"

After thrashing him lustily over the shell with a sugar-cane stick, until he had broken his weapon to splinters, he seized the turtle by the head, and attempted to force him to release his hold of the dog. Unfortunately Cuffy got his thumb into the trap, with the dog's foot, and then there was music! Finally, the bark slipped from the negro's thumb, and he "extended his area of freedom" to such a distance that there was no immediate danger of his being harmed by the turtle, which, with, "Adhesiveness 17," still clung to the dog, and it was with considerable difficulty that his jaws could be opened sufficiently wide to render Caesar that which was Caesar's. The puppy was no sooner at liberty than Cuffy sung out—"Heah, Caesar, come 'way fom dar! an' if dat d—d 'hasty plate ob soup' git our finger in him mouf again, he may bite tel him 'foof ache; dat's all I's got to say 'bout um!"

The negro put, and his dog hobbled after him, on three legs, leaving a crowd of spectators, who were shaking their sides with laughter.

A Talking match lately "come off" at New Orleans for five dollars a side. It commenced, according to the Advertiser for thirteen hours; the rivals being a Frenchman and a Kentuckian: The by-standers and judges were all talked to sleep; and when they waked up in the morning, they found the Frenchman dead, and the Kentuckian whispering in his ear.

DESPERATE.—"If I were so unlucky," said an officer, "as to have a stupid son, I would certainly, by all means, make him a parson." A clergyman who was in his company, replied "you think differently, sir, from your father."

One of the best things we have met with lately is the case of a young milliner who regretted that she was not a bank, that she might have a charter to break promises.

NOBLE SENTIMENT.—When Sir Walter Scott was urged not to prop the falling credit of an acquaintance he replied—"The man was my friend when his friends were few; and I will be his, now that his enemies are many."

A Sharpe Blade.—The has more than a column devoted to the correction of words and phrases improperly used. It says "skin that sheep, &c., is used by every body for unskin."

A Delicate Compliment.—Washington was sometimes given to pleasantry. Journeying east on one occasion, attended by two of his aids, he asked some young ladies at the hotel where he breakfasted, how they liked the appearance of his young men?

One of them promptly replied, "We cannot judge of the stars in the presence of the sun."